

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EUGENE PRATT,)	Civil Action No. 10-1741
)	
Plaintiff,)	District Judge Arthur J. Schwab
)	
v.)	
)	
FAYETTE COUNTY, et al.,)	
Defendants.)	
)	

MEMORANDUM ORDER

The above captioned case was initiated by the filing of a motion to proceed *in forma pauperis* (ECF No. 1) on December 27, 2010, and was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the local rules of court.

On November 8, 2011, the Magistrate Judge filed a Report and Recommendation (ECF No. 28) recommending that the Motion to Dismiss filed by Defendants Jeffrey Beard and the Pennsylvania Board of Probation and Parole (ECF No. 18) be granted, that the Motion to Dismiss filed by Defendants Larry Medlock and Fayette County be granted, and that the Complaint be dismissed with prejudice against the remaining John Doe Defendants under 28 U.S.C. § 1915A. Plaintiff was served with the Report and Recommendation at his listed address and was advised that he had until November 25, 2011 to file written objections to the Report and Recommendation. No objections have been filed.

After *de novo* review of the pleadings and documents in this case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 8th day of December, 2011;

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants Jeffrey Beard and the Pennsylvania Board of Probation and Parole (ECF No. 18) is **GRANTED**.

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants Larry Medlock and Fayette County (ECF No. 21) is **GRANTED**.

IT IS FURTHER ORDERED that the Complaint is **DISMISSED** with prejudice against the remaining Defendants under 28 U.S.C. § 1915A as it would be futile to allow Plaintiff the opportunity to amend.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF. No. 28) dated November 8, 2011, is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: Eugene M. Pratt, BY8768
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